IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.1665 of 2008
BANDHU MAHTO
Versus
THE STATE OF BIHAR
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3. 1.5.2008 The petitioner Bandhu Mahto who is said to be in custody since 11.2.2007 stands implicated in Rosera P.S. Case No. 16 of 2007 pending in the court of Shri J.K. Dubey, Judicial Magistrate, 1st Class, Rosera, Distt. Samastipur and has been denied bail by learned Additional Sessions Judge on 22.11.2007 vide order passed in B.P(R) 42 of 2007.

An F.I.R. was drawn under Section 392 I.P.C. against four unknown criminals in respect of commission of loot of Rs. 5,000/-, a mobile set and other documents at the point of revolver.

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The petitioner is said to have been arrested after ten days of the occurrence and torn currency note of Rs. 100 along with another currency note of Rs. 10/- was recovered from the possession of the petitioner. His complicity transpires from the confessional statement of three co-accused namely, Santosh Sahni, Rajeev Choudhry and Arvind Sah.

It has been submitted that the petitioner is neither named in the F.I.R. nor any T.I.P. for his identification as well as T.I.P. for identification of torn currency notes as said to have been recovered from the possession of the petitioner has been made, and so there is absence of material to connect his involvement to justifiy further detention.

Learned A.P.P. has also been heard.

In the facts and circumstances of the case the petitioner Bandhu Mahto is admitted to bail on execution of bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Shri J.K. Dubey, Judicial Magistrate, 1st Class, Rosera, Samastipur, in connection with Rosera P.S. Case No. 16 of 2007.

**S.Ali** **(Subash Chandra Jha, J.)**

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